

KALIMAN SARKAM  
 4420 LEXINGTON AVENUE #1  
 LOS ANGELES, CA 900<sup>29</sup>~~67~~  
 (818) 392 - 9731

*Plaintiff in Proper*

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

KALIMAN SARKAM

Plaintiff,

VS.

CAPITAL ONE BANK (USA) N.A.

**DEFENDANT(S).**

Case No. **CV 12-9024**

**COMPLAINT FOR:**

FAIR DEBT COLLECTION

FAIR CREDIT  
 REPORTING ACT

ROSENTHAL ACT

**Jury Trial Demanded: Yes**

**I. JURISDICTION**

1. This Court has jurisdiction under: 15 U.S.C. sec. 1692 k (d), 15 U.S.C. sec. 1681(p)(b), and 28 U.S.C. sec. 1331,1337

LODGED

12 OCT 19 AM 11:54

U.S. DISTRICT COURT  
 CENTRAL DIST. OF CALIF.  
 LOS ANGELES

**II. VENUE**

2. Venue is proper pursuant to: 28 U.S.C. sec. 1391(b) where the acts and transaction giving rise to plaintiff's action occurred in the district, where plaintiff resides in this district, and / or where defendant transact business in this district.

**III. PARTIES**

3. Plaintiff's name is: Kaliman Sarkam Plaintiff resided at: 1316 Tamarind Ave. #2 Los Angeles, California 90028. Is a consumer within the meaning of 15 U.S.C. sec. 1692 a (3), 15 U.S.C. § 1681 a (c).

4. Defendant: Capital One Bank (USA) N.A. is a "debt collector" within the meaning of 15 U.S.C. sec 1692 a (6).

**IV. STATEMENT OF FACTS**

5. Comes now Aasim Shah who does hereby file this complaint for damages of 15 U.S.C. sec. 1692, et seq. (FDCPA) and the California Rosenthal Act, Civil Code sec. 1788 et seq. 15 U.S.C. sec. 1681 et seq. (FCRA) based upon defendant(s) violations of the Fair Debt Collection Practices Act, Rosenthal Act and Fair Credit Reporting Act.

6. Plaintiff obtained his consumer reports from the three major credit reporting agencies and found entries by entities that he was unfamiliar with in the report. Plaintiff found after examination of his Experian, Equifax, Transunion consumer credit reports that defendant Capital One Bank (USA) N.A. had obtained Plaintiff consumer credit reports on November 19, 2010 and has continuously reported to date.

7. Experian, Transunion, Equifax, is a credit reporting agency within the meaning FCRA 15 U.S.C. 1681a (f).

8. Consumer credit report is a consumer report within the meaning of the FCRA 15 U.S.C. sec. 1681a (d).

9. The FCRA 15 U.S.C. sec. 1681b defines the permissible purposes for

1 which a person may obtain a consumer credit report.

2 10. Defendants regularly engaged as furnishers of consumers Transunion,  
3 Experian, Equifax credit file, such permissible purposes as defined by 15  
4 U.S.C. § 1681b are generally if the consumer makes application for credit, makes  
5 application for employment, for underwriting of insurance involving the  
6 consumer, or is offered a bonafide offer of credit as a result of the inquiry.  
7  
8

9  
10 11. Plaintiff has never had any business dealings or any accounts with made  
11 application for credit from, made application for employment with, applied for  
12 insurance from or received a bonafide offer of credit from the defendant  
13

14  
15 12. On November 19, 2010 Defendant Capital One Bank (USA) N.A.  
16 obtained the plaintiff consumer credit reports without consent in violation of  
17 the FCRA 15 U.S.C. sec. 1681b. Said actions by defendant has damaged  
18 plaintiff Transunion, Experian, Equifax record thereby reducing plaintiff  
19 credit score, and loss of societal pleasures.  
20  
21

22 13. On April 5, 2012 Plaintiff sent via United States Postal Service  
23 Certified Mail a letter requesting formal debt validation. This was in an effort to  
24 mitigate damages in obtaining Plaintiff's credit report before taking civil action  
25 in accordance with (FDCPA) 15 U.S.C. sec. 1692g. Plaintiff notice  
26 included defendants violations of the (FCRA) 15 U.S.C. sec. 1681b. A  
27  
28

1  
2  
3 14. On October 15, 2012 Plaintiff has received no correspondence to  
4 said notices sent to Defendant. The actions of the Defendant obtaining consumer  
5 credit report without validation for permissible purposes or contract bearing  
6 signature between defendant and plaintiff consent, are clear and willful  
7 violations of FCRA, 15 U.S.C. § 1681b and an illegal practices against  
8 Plaintiff's right to privacy.  
9  
10

11  
12 15. Plaintiff disputed with (3) credit reporting agency's from the month of  
13 June thru August. Defendant at no time has communicated with Plaintiff what  
14 justification they may have had by obtaining Plaintiff credit profile (51 times)  
15 over a (21) month period.  
16  
17

18 16. On the September 25, 2012 certified mail as discussed, Plaintiff in a  
19 good faith effort to allow defendant Capital One Bank, USA N.A. ample  
20 opportunity to justify their action, sent second notice upon 10 day response.  
21 Defendant has failed to respond to said notice.  
22  
23

24  
25 17. Plaintiff discovery of violations brought forth herein occurred in  
26 JULY 2012 and are within the statute of limitations as defined in the FCRA,  
27 15 U.S.C. sec. 1681p FDCPA 15 U.S.C. sec. 1692k (d).  
28

**V. CAUSES OF ACTION**

**FIRST CAUSE OF ACTION**

Violations of FDCPA 15 U.S.C. 1962 e,f,g

**(As against Defendant(s): Capital One Bank (USA) N.A.**

18. Plaintiff re-alleges and incorporates paragraphs 5-17. Plaintiff is a Consumer within the meaning of the FDCPA 15 U.S.C. sec. 1692a(3) Capital One Bank (USA) N.A. are debt collectors within the meaning of FDCPA 15 U.S.C. sec 1692a(6).

19. Plaintiff re-alleges and incorporates paragraph 5-17. Based on the foregoing consumer credit reports. The Defendant Is violating FDCPA and FCRA violations include but are not limited to the following: Capital One Bank (USA) N.A. violated 15 U.S.C. sec. 1692e(10) by the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning consumer.

20. Plaintiff re-alleges and incorporates paragraph 5-17. Capital One Bank (USA) N.A. violated 15 U.S.C. sec. 1692f(1) by the collection of any amount including any interest, fee, charge, or expense incidental to the principal obligation unless such amount is expressly authorized by the agreement creating the debt or permitted by law.



**SECOND CAUSE OF ACTION**

Violation of FCRA 15 U.S.C. SEC. 1681 b

**As against Defendant(s):** Capital One Bank (USA) N.A.

20. Plaintiff re-alleges and incorporates paragraph 5-17. Plaintiff is a consumer within the meaning of the FCRA 15 U.S.C. sec. 1681a (c). Capital One Bank (USA) N.A. is a furnisher of information within the meaning of the FCRA 15 U.S.C. sec. 1681 s-2

21. Plaintiff re-alleges and incorporates paragraph 5-17. Plaintiff did not Initiate a firm offer of credit (loan, credit card) with defendant. Plaintiff did not Initiate firm offer of insurance with defendant. Plaintiff did not initiate employment with defendant. Defendant was not directed by a court order to pull plaintiff consumer report. Defendant is no gov't agency under USA Patriot Act  
reply: UNITED STATES v. McNeil 362 F.3d 570 "9<sup>th</sup> Circuit Court of Appeals"

22. Plaintiff re-alleges and incorporates paragraph 5-17. Based on the foregoing consumer credit report. Defendant willfully violated the FCRA. Defendant violations include, but are not limited to the following: Capital One Bank (USA) N.A. willfully violated 15 U.S.C. sec. 1681b(f) by obtaining plaintiff consumer report without a permissible purpose as defined by 15 U.S.C.

1 sec. 1681b

2  
3 **THIRD CAUSE OF ACTION**

4 Violation Civil Liabilities for non-compliance 15 U.S.C. sec. 1681 o, n

5  
6 **(As against Defendant(s): Capital One Bank (USA) N.A.**

7 23. Plaintiff re-alleges and incorporates paragraph 5 -16. Plaintiff is a  
8 consumer within the meaning of the FCRA 15 U.S.C. sec. 1681a (c).  
9

10 Capital One Bank (USA) N.A. is a furnisher of information within the meaning  
11 of the FCRA 15 U.S.C. sec. 1681 s-2  
12

13 24. Plaintiff re-alleges and incorporates paragraph 5-17. Capital One Bank  
14 (USA) N.A. willful procuring or causing to be procured an investigative  
15 consumer report without clearly and accurately disclosing to plaintiff that the  
16 report had been requested  
17  
18

19 25. Plaintiff re-alleges and incorporates paragraph 5-17. Capital One Bank  
20 (USA) N.A. without informing plaintiff of the right to request disclosure in  
21 violation 15 U.S.C. sec 1681d q. Actions on the part of defendant demonstrates a  
22 willful disregard for federal law and constitutes a blatant attempt to injure or  
23 ruin the credit rating of plaintiff since defendant has demonstrated an inability  
24 to validate the alleged debt and subsequently attempted coerce payment. 15  
25 U.S.C sec. 1681 n  
26  
27  
28



**V. REQUEST FOR RELIEF**

29. That this court grant judgement against defendant for first claim for relief

1) Actual damages determined by jury 2.) Punitive & Statutory damages 15

U.S.C. sec. 1692 d (1) 1692 f (6) Remedies 1692 k, Rosenthal Act \$1,000.00 per

statute 3.) legal cost and fees. 4.) Any relief as the court see fit.

30. That this court grants judgement against defendants

for: second claim for relief 1.) Actual damages to be

determined by jury 2.) Punitive and Statutory damages FCRA 15 U.S.C. sec.

1681b \$1000.00 3.) court fees and cost 4.) Any relief as court see fit.

31. That this court grants judgment against Defendants for: Third claim for

relief 1.) Actual damages to be determined by jury 2.) punitive & statutory


damages pursuant 15 U.S.C. sec 1681o \$1,000.00 3.) court fees and cost.

4.) Any relief as court sees fit.

Date: 10,19,2012

Sign:

Print Name:

  
KALIMAN SARKAM


**DEMAND FOR JURY TRIAL**

Plaintiff hereby request a jury trial on all issues raised in this complaint

Date: 10-19-2012

Sign:

Print Name:

  
KALIMAN SARKAM

Exhibit

Cap. 1

COPY

KALIMAN SARKAM  
1316 TAMARIND AVE #2  
LOS ANGELES, CA 90028

CAPITAL ONE BANK USA NA  
P.O. BOX 30281  
SALT LAKE CITY, UT 84130

AUGUST 25, 2012

Re: Unauthorized Credit Inquiry

To Whom It May Concern:

I recently received a copy of my credit report. The credit report showed a credit inquiry by your company that I do not recall authorizing 09/27/2011,10/23/2011,11/28/2011,12/26/2011,1/23/2012,2/28/2012,3/27/2012,4/30/2012, 5/29/2012. I understand that you shouldn't be allowed to put an inquiry on my file unless I have authorized it. Please have this inquiry removed from my credit file because it is making it very difficult for me to acquire credit.

I have sent this letter certified mail because I need your prompt response to this issue. Please be so kind as to forward me documentation that you have had the unauthorized inquiry removed.

If you find that I am remiss, and you do have my authorization to inquire into my credit report, then please send me proof of this.

Thanking you in advance,

KALIMAN SARKAM  
(without prejudice)

Exhib

Cap. 2

1005

KALIMAN SARKAM  
1316 TAMARIND AVENUE # 2  
LOS ANGELES, CA [90028]

CAPITAL ONE BANK USA NA  
P.O. BOX 30281  
SALT LAKE CITY, UT 84130

September 25, 2012

Re: Unauthorized Credit Inquiry

To Whom It May Concern:

I have previously sent you a request to validate the unauthorized credit pull inquiry on August 25, 2012 under the Fair Debt Collection Practices Act and the unauthorized credit pull 07/2012, 05/29/2012, 04/30/2012, 3/27/2012, 02/28/2012, 01/23/2012, 12/26/2011, 11/28/2011, 10/23/2011, 09/27/2011 . I feel as though I have given your organization ample time to resolve this questionable inquiry. The credit report shows credit inquiry by your company that I do not recall authorizing. I understand that you shouldn't be allowed to put an inquiry on my file unless I have authorized it. Please have these inquiry removed from my credit file because it is making it very difficult for me to acquire credit.

I have sent this letter certified mail because I need your prompt response to this issue. Please be so kind as to forward me documentation that you have had the unauthorized inquiry removed.

If you find that I am remiss, and you do have my authorization to inquire into my credit report, then please send me proof of this.

Thanking you in advance,

KALIMAN SARKAM  
(without prejudice)

Exhibit  
Experian # 2

Logout

Report  
SummaryPotentially  
Negative  
ItemsAccounts in  
Good  
StandingRequests for  
Your Credit  
HistoryPersonal  
InformationYour  
Personal  
StatementGet Credit  
MonitorGet Credit  
Score

## Credit History Detail Viewed Only By You

Are you at risk for  
**IDENTITY  
THEFT?**

Low-Risk

Help reduce your risk  
with **ProtectMyID™**  
from Experian®

Get Protected

with enrollment in PMID



Experian credit report prepared for  
**KALIMAN SARKAM**

Your report number is  
**0331-5430-08**

Report date: **October 15, 2012****Credit Report Toolkit:**[Print your report](#)[Credit Education](#)[Know your rights](#)[Credit Fraud Center](#)? [Where do you get this information?](#)? [What if I feel there is an error?](#)

CAP ONE

Add Triple  
Alert<sup>SM</sup> Credit  
Monitoring

for only \$4.95  
per month!

GET IT NOW!

Get the Score!

GET IT NOW!

Address:  
PO BOX 30281  
SALT LAKE CITY UT 84130  
No phone number available

**Date of Request:**

07/11/2012  
06/12/2012  
05/25/2012  
05/19/2012  
05/12/2012  
04/11/2012  
03/07/2012  
02/03/2012  
01/07/2012  
12/21/2011  
12/15/2011  
12/07/2011  
11/17/2011  
11/12/2011  
11/04/2011  
10/27/2011  
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04/12/2011  
03/26/2011  
03/18/2011

13

03/09/2011

02/23/2011

02/16/2011

02/04/2011

01/21/2011

01/13/2011

12/21/2010

12/08/2010

11/18/2010

11/09/2010

10/22/2010

10/15/2010

10/07/2010

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The companies listed below received your name, address and other limited information about you so they could make a firm offer of credit or insurance. They did not receive your full credit report. These inquiries are not seen by anyone but you and do not affect your score.

**CAPITAL ONE BANK USA NA**

PO BOX 30281  
SALT LAKE CITY, UT 84130  
(800) 258-9319

**Requested On:** 06/26/2012, 05/29/2012, 04/30/2012, 03/27/2012,  
02/28/2012, 01/23/2012, 12/26/2011, 11/28/2011, 10/23/2011

**UNION WORKERS CREDIT SER**

4108 AMON CARTER B  
PO BOX 955003  
FORT WORTH, TX 76155  
(817) 835-0004

**Requested On:** 03/15/2012

**PLAIN GREEN**

PO BOX 255  
BOX ELDER, MT 59521  
Phone number not available

**Requested On:** 05/15/2012, 03/31/2012

**MERRICK BANK**

10705 S JORDAN GATEWAY  
SUITE 200  
SOUTH JORDAN, UT 84095  
Phone number not available

**Requested On:** 03/14/2012

Exhibit  
TR # 1  
October

Send to  
 "Sims" Art No.  
 or PO Box No.  
 City, State, Zip

*Capital One Bank USA, Inc.*  
*P.O. Box 30281*  
*Salt Lake City, UT 84130*

	00/27	Postmark Here
Postage	\$0.45	
Certified Fee	\$2.25	09
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$3.40	

A unique identifier for your mailbox.  
 A record of delivery kept by the  
 carrier.  
 The delivery information is available online at [usps.com/track](http://usps.com/track).  
 See the official use of the tracking number.

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For additional values, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and attach applicable postage to cover a duplicate return receipt. "Return Receipt Requested" to receive a fee waiver for required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**  
PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

Request  
Notices



*Exhibit*  
*Credit disputes*

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)  
For delivery information visit our website at www.usps.com.

**OFFICIAL USE**

07/11 04 ALE CA U  
Postmark Here  
AUG 25 2012  
08/25/2012  
USPS

Postage	\$	\$0.45
Certified Fee	\$	\$2.95
Return Receipt Fee (Endorsement Required)	\$	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$	\$0.00
Total Postage & Fees	\$	\$3.40

Sent to *Transunion Consumer Relations*  
Street, Apt. No. *P.O. Box 2002*  
City, State, ZIP+4<sup>®</sup> *Chesler Pa 19022-2002*

PS Form 3800, August 2006

2622 2462 1000 0240 2702

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)  
For delivery information visit our website at www.usps.com.

**OFFICIAL USE**

07/11 04 ALE CA U  
Postmark Here  
AUG 25 2012  
08/25/2012  
USPS

Postage	\$	\$0.45
Certified Fee	\$	\$2.95
Return Receipt Fee (Endorsement Required)	\$	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$	\$0.00
Total Postage & Fees	\$	\$3.40

Sent to *E. E. Deacon*  
Street, Apt. No. *P.O. Box 2002*  
City, State, ZIP+4<sup>®</sup> *Allegheny Tx 75013*

PS Form 3800, August 2006

2622 2462 1000 0240 2702

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Post Office

**Important Reminders:**

- Certified Mail may ONLY be combined with other mail classes.
- Certified Mail is not available for any valuables, please consider insured or registered mail.
- For an additional fee, a Return Receipt (PS Form 3811) may be obtained to receive a duplicate return receipt, a USPS<sup>®</sup> postmark on the Certified Mail receipt, and the post office for postmarking. If not needed, detach and affix label.

For an additional fee, delivery may be made to the addressee's authorized agent. Advise the addressee of this option on the Certified Mail receipt.

GLENDAL MAIN PO  
GLENDAL, California  
912059998  
0581020711 -0096  
08/25/2012 (818)265-9261 01:19:06 PM

Product Description	Sale Unit	Qty	Price	Final Price
ATLANTA GA 30374 Zone-8 First-Class Letter				\$0.45

0.80 oz.  
Expected Delivery: Tue 08/28/12  
Certified  
Label #: 70120470000179422930  
Issue PVI: \$3.40

ALLEN TX 75013 Zone-6 First-Class Letter  
0.80 oz.  
Expected Delivery: Tue 08/28/12  
Certified  
Label #: 70120470000179422947  
Issue PVI: \$3.40

CRUM LYNNE PA 19022 Zone-8 First-Class Letter  
0.80 oz.  
Expected Delivery: Tue 08/28/12  
Certified  
Label #: 70120470000179422923  
Issue PVI: \$3.40

0.80 oz.  
Expected Delivery: Tue 08/28/12  
Certified  
Label #: 70120470000179422923  
Issue PVI: \$3.40

Total: \$10.20

Paid by:  
Debit Card  
Account #: XXXXXXXXXX1322  
Approval #: 191295  
Transaction #: 814  
23 903600286  
Receipt #: 000925

\*\*\*\*\*  
BRIGHTEN SMFONE'S MATIARY CREATING CARD  
\*\*\*\*\*

*W*

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETI (a) PLAINTIFFS (Check box if you are representing yourself) ☒

Kaliman Sarkom  
4420 Lexington Avenue #1  
Los Angeles CA 90029 (818) 392-9731

## DEFENDANTS

Capital One Bank (USA) N.A.

## (b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Kaliman Sarkom  
4420 Lexington Avenue #1  
Los Angeles, CA 90029 (818) 392 9731

## Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant.)

- |   | PTF                                   | DEF                        |   | PTF                        | DEF                                   |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

## IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No

MONEY DEMANDED IN COMPLAINT: \$ 7,500-

## VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

FOCPA FCRA ROSENTHAL

## VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL	PETITIONS	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	PROPERTY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 Habeas Corpus General	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 422 Appeal 28 USC 158	FORFEITURE/PENALTY	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	CIVIL RIGHTS	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	SOCIAL SECURITY
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	REAL PROPERTY	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 862 Black Lung (923) (405(g))
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	IMMIGRATION	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 440 Other Civil Rights		FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV12-9024

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.  
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Salt Lake City, UTAH

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved**

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_

Date 10/19/2012

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))